

Docket No. NEC03P207-SYa
(WAK.122)



Drw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Hidekazu Kawashima

Serial No.: 10/755,387

Group Art Unit: 2822

Filed: January 13, 2004

Examiner: Maria F. Guerrero

For: METHOD AND DECIDE FOR PRODUCING LAYOUT PATTERNS OF A SEMICONDUCTOR DEVICE HAVING AN EVEN WAFER.

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO SECOND OFFICE ACTION AND
ELECTION OF SPECIES REQUIREMENT**

Sir:

In response to the Office Action dated June 23, 2006, please consider the following:

REMARKS

In response to the Examiner's Election of Species requirement, Applicant hereby elects **without** traverse for prosecution on the merits the invention of Species 2 (arranging a plurality of types of fill cells) upon which at least claims 4, 17, 18, and 22-29 are readable. Independent claims 1, 19, and 24 each recite "*arranging primitive cells*", and therefore, are believed **generic** to all species. Applicant reserves the opportunity to file a Divisional Application for the non-elected species of the invention later.

Early, favorable prosecution on the merits is respectfully requested.